

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

WILLIAM D. BAKER,

:

Case No. 3:09-cv-405

Plaintiff,

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

-vs-

MICHAEL J. ASTRUE,
COMMISSIONER OF
SOCIAL SECURITY,

Defendant. :

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 15), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on May 3, 2010, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that the Commissioner's decision that Plaintiff is not disabled and therefore not entitled to benefits under the Social Security Act be, and it hereby is, affirmed.

May 4, 2010.

**s/THOMAS M. ROSE*

Thomas M. Rose
United States District Judge